



General Assembly

February Session, 2004

**Amendment**

LCO No. 4551

\*SB0006204551HDO\*

Offered by:

REP. DARGAN, 115<sup>th</sup> Dist.

REP. LAWLOR, 99<sup>th</sup> Dist.

REP. STONE, 9<sup>th</sup> Dist.

SEN. GUGLIELMO, 35<sup>th</sup> Dist.

SEN. NEWTON, 23<sup>rd</sup> Dist.

To: Subst. Senate Bill No. 62

File No. 461

Cal. No. 502

(As Amended by Senate Amendment Schedules "A" and "B")

**"AN ACT PROVIDING BENEFITS AND PROTECTION FOR  
VOLUNTEER CANINE SEARCH AND RESCUE MEMBERS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 5-249 of the general statutes, as amended by  
4 section 1 of public act 03-249, is repealed and the following is  
5 substituted in lieu thereof (*Effective October 1, 2004*):

6 (a) Any state employee who is an active volunteer firefighter or  
7 member of a volunteer ambulance service or company (1) may, with  
8 the authorization of such employee's appointing authority, be  
9 permitted to leave work in order to respond to fire calls or ambulance  
10 calls during such employee's regular hours of employment without

11 loss of pay, vacation time, sick leave or earned overtime accumulation,  
12 or (2) shall be permitted to respond to such calls prior to reporting for  
13 work without such prior authorization and without loss of pay,  
14 vacation time, sick leave or earned overtime accumulation, provided in  
15 either case, if requested by such employee's appointing authority, such  
16 employee submits a written statement from the chief of the volunteer  
17 fire department or the medical director or chief administrator of the  
18 volunteer ambulance service or company verifying that such employee  
19 responded to a fire or ambulance call and specifying the date, time and  
20 duration of such response.

21 (b) Any state employee who is a certified disaster service volunteer  
22 of the American Red Cross may, with the authorization of such  
23 employee's supervisor, be granted a leave not to exceed fourteen days  
24 in each year to participate in specialized disaster relief services for the  
25 American Red Cross, upon the request of the American Red Cross,  
26 without loss of pay, vacation time, sick leave or earned overtime  
27 accumulation.

28 (c) Any state employee who is an active volunteer firefighter or  
29 member of a volunteer ambulance service or company may, with the  
30 authorization of such employee's appointing authority, be allowed to  
31 attend training sessions or drills during such employee's regular hours  
32 of employment without loss of pay, overtime accumulation or sick  
33 leave.

34 (d) Any state employee who is an active member of a volunteer  
35 canine search and rescue team (1) may, with the authorization of such  
36 employee's supervisor, be permitted to leave work in order to respond  
37 to search or rescue calls during such employee's regular hours of  
38 employment without loss of pay, vacation time, sick leave or earned  
39 overtime accumulation, or (2) shall be permitted to respond to such  
40 calls prior to reporting for work without such prior authorization and  
41 without loss of pay, vacation time, sick leave or earned overtime  
42 accumulation, provided in either case, if requested by such employee's  
43 supervisor, such employee submits a written statement from the chief

44 of the police or fire department verifying that such employee  
45 responded to a search or rescue call and specifying the date, time and  
46 duration of such response. As used in this subsection, "volunteer  
47 canine search and rescue team" means an individual and a dog (A)  
48 appropriately trained and certified to engage in search and rescue  
49 operations by a nonprofit canine search and rescue organization that is  
50 a member of the National Association of Search and Rescue, or its  
51 successor organization, and (B) who jointly engage in such operations  
52 at the request of a police or fire department and provide services  
53 without compensation.

54       Sec. 2. Section 12-81w of the general statutes is repealed and the  
55 following is substituted in lieu thereof (*Effective October 1, 2004*):

56       The legislative body of any municipality may establish, by  
57 ordinance, a program to provide property tax relief for the nonsalaried  
58 local director of civil preparedness and for individuals who volunteer  
59 their services as a firefighter, emergency medical technician,  
60 paramedic, civil preparedness staff, an active member of a volunteer  
61 canine search and rescue team, as defined in section 5-249, as amended  
62 by this act, or ambulance driver in the municipality. Such tax relief  
63 may provide either (1) an abatement of up to one thousand dollars in  
64 property taxes due for any fiscal year, or (2) an exemption applicable  
65 to the assessed value of real or personal property up to an amount  
66 equal to the quotient of one million dollars divided by the mill rate, in  
67 effect at the time of assessment, expressed as a whole number of  
68 dollars per one thousand dollars of assessed value. Any ordinance may  
69 authorize interlocal agreements for the purpose of providing property  
70 tax relief to such volunteers who live in one municipality but volunteer  
71 their services in another municipality.

72       Sec. 3. Section 53a-167c of the general statutes, as amended by  
73 section 1 of public act 03-6 and section 126 of public act 03-19, is  
74 repealed and the following is substituted in lieu thereof (*Effective*  
75 *October 1, 2004*):

76 (a) A person is guilty of assault of public safety or emergency  
77 medical personnel when, with intent to prevent a reasonably  
78 identifiable peace officer, firefighter or employee of an emergency  
79 medical service organization, as defined in section 53a-3, emergency  
80 room physician or nurse, employee of the Department of Correction,  
81 employee or member of the Board of Parole, probation officer,  
82 employee of the judicial branch assigned to provide pretrial secure  
83 detention and programming services to juveniles accused of the  
84 commission of a delinquent act, employee of the Department of  
85 Children and Families assigned to provide direct services to children  
86 and youth in the care or custody of the department, [or] employee of a  
87 municipal police department assigned to provide security at the police  
88 department's lockup and holding facility or active individual member  
89 of a volunteer canine search and rescue team, as defined in section 5-  
90 249, as amended by this act, from performing his or her duties, and  
91 while such peace officer, firefighter, employee, physician, nurse,  
92 member, [or] probation officer or active individual member is acting in  
93 the performance of his or her duties, (1) such person causes physical  
94 injury to such peace officer, firefighter, employee, physician, nurse,  
95 member, [or] probation officer or active individual member, or (2) such  
96 person throws or hurls, or causes to be thrown or hurled, any rock,  
97 bottle, can or other article, object or missile of any kind capable of  
98 causing physical harm, damage or injury, at such peace officer,  
99 firefighter, employee, physician, nurse, member, [or] probation officer  
100 or active individual member, or (3) such person uses or causes to be  
101 used any mace, tear gas or any like or similar deleterious agent against  
102 such peace officer, firefighter, employee, physician, nurse, member,  
103 [or] probation officer or active individual member, or (4) such person  
104 throws or hurls, or causes to be thrown or hurled, any paint, dye or  
105 other like or similar staining, discoloring or coloring agent or any type  
106 of offensive or noxious liquid, agent or substance at such peace officer,  
107 firefighter, employee, physician, nurse, member, [or] probation officer  
108 or active individual member, or (5) such person throws or hurls, or  
109 causes to be thrown or hurled, any bodily fluid including, but not  
110 limited to, urine, feces, blood or saliva at such peace officer, firefighter,

111 employee, physician, nurse, member, [or] probation officer or active  
112 individual member.

113 (b) Assault of public safety or emergency medical personnel is a  
114 class C felony. If any person who is confined in an institution or facility  
115 of the Department of Correction is sentenced to a term of  
116 imprisonment for assault of an employee of the Department of  
117 Correction under this section, such term shall run consecutively to the  
118 term for which the person was serving at the time of the assault.

119 Sec. 4. Section 53-247 of the general statutes is repealed and the  
120 following is substituted in lieu thereof (*Effective October 1, 2004*):

121 (a) Any person who overdrives, drives when overloaded,  
122 overworks, tortures, deprives of necessary sustenance, mutilates or  
123 cruelly beats or kills or unjustifiably injures any animal, or who,  
124 having impounded or confined any animal, fails to give such animal  
125 proper care or neglects to cage or restrain any such animal from doing  
126 injury to itself or to another animal or fails to supply any such animal  
127 with wholesome air, food and water, or unjustifiably administers any  
128 poisonous or noxious drug or substance to any domestic animal or  
129 unjustifiably exposes any such drug or substance, with intent that the  
130 same shall be taken by an animal, or causes it to be done, or, having  
131 charge or custody of any animal, inflicts cruelty upon it or fails to  
132 provide it with proper food, drink or protection from the weather or  
133 abandons it or carries it or causes it to be carried in a cruel manner, or  
134 fights with or baits, harasses or worries any animal for the purpose of  
135 making it perform for amusement, diversion or exhibition, shall be  
136 fined not more than one thousand dollars or imprisoned not more than  
137 one year or both.

138 (b) Any person who maliciously and intentionally maims, mutilates,  
139 tortures, wounds or kills an animal shall be fined not more than five  
140 thousand dollars or imprisoned not more than five years or both. The  
141 provisions of this subsection shall not apply to any licensed  
142 veterinarian while following accepted standards of practice of the

143 profession or to any person while following approved methods of  
144 slaughter under section 22-272a, as amended, while performing  
145 medical research as an employee of, student in or person associated  
146 with any hospital, educational institution or laboratory, while  
147 following generally accepted agricultural practices or while lawfully  
148 engaged in the taking of wildlife.

149 (c) Any person who knowingly (1) owns, possesses, keeps or trains  
150 an animal engaged in an exhibition of fighting for amusement or gain,  
151 (2) possesses, keeps or trains an animal with the intent that it be  
152 engaged in an exhibition of fighting for amusement or gain, (3) permits  
153 an act described in subdivision (1) or (2) of this subsection to take place  
154 on premises under his control, (4) acts as judge or spectator at an  
155 exhibition of animal fighting for amusement or gain, or (5) bets or  
156 wagers on the outcome of an exhibition of animal fighting for  
157 amusement or gain, shall be fined not more than five thousand dollars  
158 or imprisoned not more than five years or both.

159 (d) Any person who intentionally injures any animal while such  
160 animal is in the performance of its duties under the supervision of a  
161 peace officer, as defined in section 53a-3, or intentionally injures a dog  
162 that is a member of a volunteer canine search and rescue team, as  
163 defined in section 5-249, as amended by this act, while such dog is in  
164 the performance of its duties under the supervision of the active  
165 individual member of such team, shall be fined not more than five  
166 thousand dollars or imprisoned not more than five years or both.

167 [(d)] (e) Any person who intentionally kills any animal while such  
168 animal is in the performance of its duties under the supervision of a  
169 peace officer, as defined in section 53a-3, or intentionally kills a dog  
170 that is a member of a volunteer canine search and rescue team, as  
171 defined in section 5-249, as amended by this act, while such dog is in  
172 the performance of its duties under the supervision of the active  
173 individual member of such team, shall be fined not more than [five]  
174 ten thousand dollars or imprisoned not more than [five] ten years or  
175 both."

176       Sec. 5. (NEW) (*Effective October 1, 2004*) (a) Any individual who is an  
177 active member of a volunteer canine search and rescue team, as  
178 defined in section 5-249 of the general statutes, as amended by this act,  
179 may travel on a train or on any other mode of public transportation,  
180 and may enter or visit any other place of public accommodation which  
181 caters or offers its services or facilities or goods to the general public,  
182 including, but not limited to, any public building, inn, restaurant,  
183 hotel, motel, tourist cabin, place of amusement, resort or any facility of  
184 any such public accommodation, accompanied by the dog in such  
185 team, and such individual may keep such dog with him or her at all  
186 times in any such public accommodation or facility thereof at no extra  
187 charge, provided such team is engaged in a search or rescue operation  
188 and such dog shall be in the direct custody of such individual and shall  
189 wear a harness or red or orange-colored identification. No such  
190 individual shall be charged any fee not applicable alike to all guests,  
191 provided the owner of such dog shall be liable for any damage done to  
192 the premises or facilities by such dog.

193       (b) Any person who denies the rights afforded to active individual  
194 members of a volunteer canine search and rescue team under  
195 subsection (a) of this section shall be guilty of a class C misdemeanor,  
196 provided such individual member complies with the applicable  
197 provisions of subsection (a) of this section.

198       Sec. 6. (NEW) (*Effective from passage*) Any sworn police officer  
199 employed by the state or a municipality who takes a leave of absence  
200 or resigns from such officer's employment to volunteer for  
201 participation in international peacekeeping operations, is selected for  
202 such participation by a company which the United States Department  
203 of State has contracted with to recruit, select, equip and deploy police  
204 officers for such peacekeeping operations, and participates in such  
205 peacekeeping operations under the supervision of the United Nations,  
206 the Organization for Security and Cooperation in Europe or other  
207 sponsoring organization, shall be entitled, upon return from such  
208 leave, (1) to be restored by such officer's employer to the position of  
209 employment held by the officer when the leave commenced, or (2) if

210 the original position of employment is not available, to be restored to  
211 an equivalent position with equivalent employment benefits, pay and  
212 other terms and conditions of employment."

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>
Sec. 4	<i>October 1, 2004</i>
Sec. 5	<i>October 1, 2004</i>
Sec. 6	<i>from passage</i>